

**Joint Decision Notice
and
Finding of No Significant Impact
for
Echo Lake Lease Agreement and Fishing Access Site Development
Environmental Assessment**

Montana Fish, Wildlife & Parks
Region 1
490 North Meridian Road
Kalispell, MT 59901

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Montana Department of Natural Resources and Conservation
Kalispell Unit
2250 Hwy 93 North
Kalispell, MT 59901

March 12, 2004

Description of the Proposed Action:

Echo Lake is located about 6 air-miles northeast of Bigfork, Montana. It can be reached by traveling about 14 miles east and south of Kalispell on Highway 35 to LaBrant Road; travel about 5 miles east and south to the north entrance of Echo Cabin Loop Road, then approximately 0.4 mile, with the site divided by Echo Cabin Loop Road. The site can also be reached from Highway 83 by traveling north on Echo Lake Road approximately 3.5 miles to the northern Echo Cabin Loop Road entrance. The site is located on Echo Lake, Flathead County, Montana; Township 27 North, Range 19 West, Section 5, NW ¼ of SE ¼.

- A.** The Montana Department of Natural Resources and Conservation (DNRC) proposes to issue a lease agreement (land use authorization) to Fish, Wildlife & Parks (FWP) to construct and operate a fishing access site (FAS) on School Trust lands at Echo Lake. The lease requires FWP to pay an annual land rental fee to compensate the Trust.
- B.** Fish, Wildlife & Parks (FWP) proposes to accept the lease agreement to improve and manage public access to Echo Lake. Proposed improvements on this tract would include: improve the county access road to the site; construct a gravel interior loop road and parking for 12 vehicles with trailers and 10 additional standard vehicle parking spaces; construct hard-surface boat ramp; install accessible parking, road barriers, and latrine; construct host pad with utilities; and fence the property boundary.

Note: This environmental assessment evaluates the potential impacts of development on the 5 acres leased to FWP and the foreseeable cumulative effects as compared to existing resource conditions. Potential effects caused by subdivision or other uses of the remainder of Government Lot 9 are subject to future DNRC review.

The development proposed at the site includes these items:

- Approximately 650' of the existing Echo Cabin Loop Road improved to meet Flathead County standards;
- Interior gravel loop road: improve about 500' of existing road and construct about 500' of new road;
- Gravel parking lot for 12 vehicles with trailers, with one slot accessible to an FWP Level 2 (moderate) standard. About 5,000 cubic yards of local fill would be required in the wetland depression to raise elevation for parking area;
- Gravel parking for 10 standard vehicles;
- Gravel boat preparation area;
- Hard-surface, single-width boat ramp down to average low water line and cable mat ramp under water;
- Sealed vault latrine;
- Compacted gravel trail connecting the parking area to latrine (moderate level of accessibility);
- Entrance gate;
- Parking barriers;
- Existing latrine removal;
- Block existing road north of site along lakeshore;
- Perimeter boundary fencing;
- Gravel host pad;
 - o Gravel entrance road,
 - o Utilities: water, electricity, septic system, telephone.

Public Comment:

The public was notified in the following manners to comment on the draft EA, the proposed action, and alternatives:

- Two public notices in each of these papers: The Daily Inter Lake (Kalispell), Bigfork Eagle, and Helena Independent Record;
- One statewide press release;
- Posting of draft EA and legal ad on the FWP web site: www.fwp.state.mt.us;
- Posting of draft EA on the DNRC web site: www.dnrc.state.mt.us; and
- Neighboring landowners, lessees, homeowners' association members, and interested parties were alerted to the availability of this environmental assessment for their review and comment.
- A public meeting was held to discuss the proposed project on Thursday, December 18, 2003, at the FWP headquarters in Kalispell.

This level of public notice and participation is appropriate for a project of this scope, having few impacts, all minor, and many of which can be mitigated.

Nineteen people attended the public meeting; 8 supported the project, 4 opposed, and 2 were undecided. Twenty-six other written comments were received, with 23 supporting the project and 3 opposed.

Key issues raised are listed below; a complete list of issues/concerns can be found in the project file and will be made available upon request.

- Improving access at the new FAS will increase use on Echo Lake, which is already crowded and unsafe: The human density at the newly developed site will increase due to the desire of boaters to use the high quality facilities, though overall boat use during the main boating season is not expected to increase due to this development. Daily visitation will be limited by the parking spaces available at the site. The summer season, from about May 1 to September 1, is expected to receive the highest visitation. The road entering the FAS will be signed to disallow parking along the roadway, which would make emergency ingress/egress difficult or impossible. Unlike the current facilities, the new development is expected to allow physical access during periods of low water; therefore, an increase over current use levels is expected during the shoulder spring and fall seasons. Improved roads and parking will also allow easier access to the lake in the winter for ice fishing.
- Enforcement and boating safety: While this project is not expected to increase boating use during the peak season, water safety and recreational enforcement have been identified as an issue on Echo Lake. This will continue to be handled through FWP's enforcement program. However, in addition to the current enforcement efforts, additional enforcement personnel and funding will be sought through the budgeting process in order to provide more enforcement time at Echo Lake and other recreation areas.
- Traffic would increase on both LaBrant Road and Echo Cabin Loop Road: FAS approach signs would aid in alerting drivers to potential turning traffic prior to both intersections, as well as on Highway 35 and Highway 83. LaBrant Road is a county-maintained road, and maintenance will remain the responsibility of Flathead County. The project calls for widening and improving the Echo Cabin Loop Road, which would provide better road conditions and less congested traffic movement. FWP will incorporate this road into its road maintenance program. "No parking" signing will be placed on the Echo Cabin Loop Road to avoid boat and trailer parking that would inhibit ingress and egress from the site for emergency vehicles. A site identification sign would alert drivers to turning traffic on Echo Cabin Loop Road at the FAS entrance. Vehicle use at the FAS would increase relative to existing use at this specific site. Boating use may increase annually because the new ramp will provide access during low water levels.
- The School Trust is not being fairly compensated: The proposed site is currently managed for dispersed recreation by DNRC. DNRC has no funding earmarked for recreation management, so popular recreation sites usually end up demanding management attention and suffer negative impacts to the resource. FWP and DNRC have entered into a Memorandum of Understanding whereby recreational management responsibilities for agreed-upon sites will be transferred to FWP under a lease or license agreement. FWP is to manage these sites to provide protection of the resource while providing for the continued recreational use of the State Trust land by the public. The Memorandum of Understanding sets the lease/license rate at 3.5% of fair market value for these sites in recognition of in-kind services provided by FWP.
- FWP does not have the data or the numbers of users per day per acres of the lake: This is correct. The best data we have at this time are fishing user days.
- Picnicking and swimming at the DNRC site will be impacted: The facilities recommended would take up land base currently used by swimmers and picnickers;

however, the remainder of the DNRC site would be available for these uses on a walk-in basis.

- Aquatic Nuisance Species: Signing will be made available to attempt to educate boaters about aquatic nuisance species. If funding is made available in the future, a boat wash station will be installed.
- The remainder of the DNRC property should remain open: DNRC is in the process of writing a programmatic environmental impact statement that addresses special land uses on School Trust lands statewide, which must be completed prior to pursuing any further land development projects. The overall intent of the project is to compensate the Trust Fund and provide public access.
- Impacts on Lots 22, 23, and 24; road dust; and road maintenance should be considered: Lots 22, 23, and 24 exist on a county-maintained road, which will continue to be maintained by the county.
- The period of time chosen for the hearing and comments was designed to avoid the very feedback that is warranted: The EA for this project was completed during the winter months to try and meet the scheduling demands required to accomplish some work this summer. During summers, planning is difficult to accomplish due to other demands during the high-use season.
- Failure to notify the property owners: An announcement was sent to the Echo Lake Homeowners Association mailing list, in addition to newspaper advertisements and news releases.

Joint Finding of No Significant Impact:

Based on the analysis in the Environmental Assessment (EA) by both FWP and the DNRC, the below-listed decision makers find Alternative G, as listed in the first section of the draft EA, to be the preferred alternative. We have evaluated the EA and applicable laws, regulations, and policies as they pertain to each of our departments and have determined that this action will not have a significant effect on the human environment. Therefore, an environmental impact statement will not be prepared.

The final environmental assessment and the FONSI may be viewed at or obtained from Montana Fish, Wildlife & Parks, Region One, 490 N. Meridian, Kalispell, MT 59901. Please direct requests and questions to:

Marty Watkins, Regional Parks Manager
Fish, Wildlife & Parks
490 N. Meridian Road
Kalispell, MT 59901
(406) 752-5501
mawatkins@state.mt.us

In accordance with FWP policy, an appeal may be made by any person who has either commented in writing to the department on the proposed project, or who has registered or commented orally at a public meeting held by the department on the proposed project, or who can provide new evidence that would otherwise change the proposed plan. An appeal must be submitted to the Director of FWP in writing and must be postmarked or

received within 30 days of this decision notice. The appeal must describe the basis for the appeal, how the appellant has previously commented to the department or participated in the decision making process, and how the department can provide relief. DNRC has no recognized formal appeal process. The appeal should be mailed to: Director, Fish, Wildlife & Parks, 1420 East 6th Avenue, Helena, MT 59620

Daniel P. Vincent, Regional Supervisor
Fish Wildlife & Parks

Date

Greg Poncin, Kalispell Unit Manager
Dept. of Natural Resources and Conservation

Date